



City of Marietta

Meeting Minutes

COMMITTEE OF THE WHOLE

205 Lawrence Street
Post Office Box 609
Marietta, Georgia 30061

William B. Dunaway, Mayor
Annette Paige Lewis, Ward 1
Grif Chalfant, Ward 2
Holly Marie Walquist, Ward 3
Irvan A. "Van" Pearlberg, Ward 4
Rev. Anthony Coleman, Ward 5
James W. King, Ward 6
Philip M. Goldstein, Ward 7

Monday, March 9, 2009

5:15 PM

4th Floor Conference Room

Presiding: William B. Dunaway

Present: Philip M. Goldstein, Jim King, Rev. Anthony Coleman, Holly Walquist, Grif Chalfant, Annette Lewis and Van Pearlberg

Also Present:

William F. Bruton, Jr. City Manager

Douglas Haynie, City Attorney

Stephanie Guy, City Clerk

CALL TO ORDER:

Mayor William B. Dunaway called the meeting to order at 5:15 p.m.

MINUTES:

20090202 Regular Meeting - February 9, 2009

Review and approval of the February 9, 2009 regular meeting minutes.

A motion was made by Council member King, seconded by Council member Walquist, that this matter be Approved. The motion carried by the following vote:

Vote: 6 - 0 - 0

Approved

Absent for the vote: Philip M. Goldstein

BUSINESS:

20090215 BLW Report

Report from Councilman Jim King on actions of the BLW Board at their March 9, 2009 meeting.

Council member King reported on the actions of the Board of Lights and Water at their March 9, 2009 regular meeting. Finance Director Sam Lady reported on the BLW finance statements. (See the March 9, 2009 regular Board of Lights and Water meeting minutes for details.)

This matter was Reported.

20090243 Budget Update

Update regarding the FY2010 budget and discussion of possible dates for work sessions.

City Manager Bill Bruton provided an update regarding the FY2010 budget.

This matter was Reported.

20090205 City/BLW Consolidated Pension Plan

Ordinance revising City Code Section 4-12 regarding the Consolidated Pension Plan as recommended by the City/BLW Pension Board.

A motion was made by Council member Lewis, seconded by Council member Walquist, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 7 - 0 - 0

Recommended for Approval - Consent Agenda

20081440 Kennesaw to Chattahoochee Multiuse Trail

Discussion of the Kennesaw to Chattahoochee Multi-use Trail.

Motion to move forward with the Revised Alternate 1 route.

A motion was made by Council member Pearlberg, seconded by Council member King, that this matter be Recommended for Approval - Consent Agenda. The motion carried by the following vote:

Vote: 6 - 1 - 0

Recommended for Approval - Consent Agenda

Vote Against: 1 - Philip M. Goldstein

20090192 Transfer of funds for drafting Historic Guidelines

Motion to authorize and direct that an amount not to exceed Twenty Thousand Dollars (\$20,000) be transferred from the currently existing funds of the Historic Preservation Commission to the Downtown Marietta Development Authority for the benefit of the Historic Board of Review for the sole purpose of drafting the historic guidelines for the downtown Marietta area.

This matter was Discussed.

This matter already appears on the Council agenda.

20090239 Funds for drafting Historic Guidelines

Motion to authorize and direct that an amount not to exceed \$20,000.00 be transferred to the Department of Development Services professional technical

services account to be used from the currently existing funds (\$27,000) in the Historic Preservation Commission professional technical services account for the sole purpose of assisting the Historic Board of Review in drafting historic guidelines for the Downtown Marietta Historic District.

This matter was Removed.

20090240 Termination of Contract

Motion to terminate and cancel contract between the City of Marietta and Georgia State University.

This matter was Discussed.

This matter already appears on the Council agenda.

20081281 CA2009-01 Proposal to Amend the Comprehensive Development Code

CA2009-01[CODE AMENDMENT] Proposal to amend the Comprehensive Development Code of the City of Marietta relating to Division 714, paragraph 714.04(F) [General Advertising and Off-Premise Signs] and Division 724.02 [Definitions] of the Zoning Ordinance.

This matter was Discussed.

This matter already appears on the Council agenda.

20090224 Amendment to rezoning stipulations for Lee Jaraysi 555 Commerce Avenue

Motion to amend stipulations to Z2009-02 (REZONING) LEE JARAYSI -555 Commerce Avenue amending Section 5.1 to allow for a maximum of 60 days from the date of the amendment to remove the existing siding and amending Stipulation 1 in the adopting motion, and Section 3.8 to allow approval to modify the site plan allowing for the entry area on the left side of the building to be added provided it does not intrude into the building setback lines and otherwise conforms to the City's codes and ordinances.

Motion to amend stipulations to Z2009-02 (REZONING) LEE JARAYSI -555 Commerce Avenue amending Section 5.1 to allow for a maximum of 45 days from the date of the amendment to remove the existing siding and amending Stipulation 1 in the adopting motion, and Section 3.8 to allow approval to modify the site plan allowing for the entry area on the left side of the building to be added provided it does not intrude into the building setback lines and otherwise conforms to the City's codes and ordinances.

A motion was made by Council member Goldstein, seconded by Council member King, that this matter be Recommended for Approval as Amended - Consent Agenda. The motion carried by the following vote:

Vote: 4 - 3 - 0

**Recommended for Approval as Amended -
Consent Agenda**

Vote Against: 3 - Van Pearlberg, Annette Lewis and Grif Chalfant

20090217 Draft Agenda

Review of the draft council agenda for the Wednesday, March 11, 2009 meeting.

-under Minutes: Agenda items 20090200 and 20090201 were added to the consent agenda.

-under Ordinances: Agenda item 20090101 was removed from the agenda.

-under Finance: Agenda item 20090239 was removed from the agenda.

-under Public Works: Agenda item 20090167 was added to the consent agenda.

-under Other Business: Agenda item 20090204 was added to the consent agenda.

This matter was Discussed.

The meeting was recessed at 7:04 p.m., and reconvened at 7:50 p.m.

20090218 Executive Session

Executive Session to discuss legal, personnel and/or real estate matters.

A motion was made in open session by Council member Pearlberg, seconded by Council member Walquist, to enter an Executive Session to discuss real estate acquisition and personnel matters. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

The Executive Session was held (the Chairman's affidavit is attached hereto as Attachment A).

A motion was made in open session by Council member Goldstein, seconded by Council member King, to close the Executive Session. The motion carried by the following vote:

Vote: 7 - 0 - 0

Approved

For: Annette Paige Lewis, Grif Chalfant, Holly Marie Walquist, Van Pearlberg, Rev. Anthony Coleman, James W. King, and Philip M. Goldstein

20090226 MRC Applications

Discussion of Marietta Redevelopment Corporation (MRC) applications.

Interviews scheduled during the April 13, 2009 Committee of the Whole meeting.

This matter was Discussed.

Motion to approve the acquisition of property located at 324 N Fairground Street, 264 Powers Ferry Road, 324 N Fairground Street, 319 Manget Street, 334 Lakewood Drive, 319 Stokes Ave, 313 Manget Street, 424 Haley Street, and 465 Grogan Street.

ADJOURNMENT:

The meeting was adjourned at 8:42 p.m.

Respectfully submitted,

Stephanie Guy, City Clerk

Approved: _____